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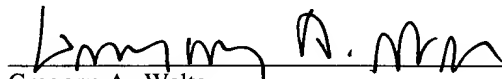
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assignee's Docket No.: 8771.00)
Group Art Unit: 3624)
Serial No.: 09/780,696)
Examiner: R. Weisberger)
Filing Date: February 9, 2001)
Title: Self Service Terminal)
_____)

ELECTION

CERTIFICATE OF MAILING

I certify that this document is addressed to Mail Stop Non-Fee Amendment, Commissioner of Patents, PO Box 1450, Alexandria, VA 22313-1450, and will be deposited with the U.S. Postal Service, first class postage prepaid, on December 4, 2006.


Gregory A. Welte

Honorable Commissioner of Patents and Trademarks
Washington, DC 20232

Sir:

This election is made in response to the Restriction Requirement mailed on November 3, 2006.

Election

Applicant hereby elects to prosecute the species of claim 30, and its dependent claims, namely, claims 31, 36 - 41, and 54 - 56.

Claim 34 appears to roughly corresponds to the "first aspect" discussed in the restriction requirement. Applicant says "roughly" because the "first aspect" does not correspond exactly to claim

09/780,696
Art Unit 3624
Docket no. 8771.00

30.

For example, the "first aspect" states that "the user interface consists essentially of a communication port and a dispense area." Claim 30, nor any other independent claim, states this.

Instead, for example, claim 30 recites "means for receiving a request from a wireless communication device." That is not reciting merely a "communication port" as the Restriction asserts. Every personal computer contains a "communications port," such as a serial port. But a serial port does not receive "a request from a wireless communication device."

Thus, claim 30 does not recite merely a "communication port" but such a port having **specific characteristics**.

Claims Reading on Chosen Species

Given the manner in which the Restriction Requirement frames the "first aspect," Applicant submits that the following claims would read on such an "aspect" (or species): Claims 33 and 34.

Possible Error in Requirement

Applicant submits that the Restriction Requirement contains a possible error of law. It is axiomatic that, if an independent claim is allowable, then, necessarily, all claims depending from that independent claim are allowable. In this case, three

09/780,696
Art Unit 3624
Docket no. 8771.00


independent claims are pending (claims 30, 33, and 34.) But the Restriction Requirement finds five species in the claims. (The word "eleventh" in the first line of page 3 appears to be an error, and should read "fifth.")

Consequently, the Restriction Requirement is treating at least one **dependent** claim as a species which can be restricted out, from its parent claim. That is not consistent with the law of Restriction.

A dependent claim cannot be required to be restricted out from its parent claim.

Therefore, insofar as the Requirement asserts that Applicant can be required to choose between an independent claim and its dependent claims, Applicant submits that such a requirement is not consistent with the law, and traverses the requirement on that basis.

Respectfully submitted,


Gregory A. Welte
Reg. No. 30,434

NCR Corporation
1700 South Patterson Blvd.
WHQ - 3
Dayton, OH 45479
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(937) 445 - 4956